

ENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Mines & Geology Department - Allegation of corruption of Demand and acceptance of bribe by Sri.Singam Surender, formerly Assistant Director of Mines & Geology, Nandigama, Krishna District - Trapped on 03.05.2011 - Sanction for Prosecution - Accorded - Orders -Issued.

INDUSTRIES AND COMMERCE (VIGILANCE) DEPARTMENT

G.O.Rt.No.366

Dated:14.06.2012.

ORDER:

1. Whereas, Sri.S.Surender, S/o Ram Swamy worked as Assistant Director of Mines & Geology, Nandigama, Krishna District from 07.07.2010 to 03.05.2011 and by virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. And Whereas, Sri.Yamprala Purnachandra Rao, S/o Srinivasa Rao is a resident of Gottimukkala Village, Kanchikacherla Mandal, Krishna District and eking his livelihood by working as a clerk in Saravana & Co. Hanumanpet, Kanchikacherla;

3. And Whereas, it is alleged that Sri.Yamprala Purnachandra Rao is working as a clerk in Saravana & Co., Hanumanpet, Kanchikacherla which belongs to Sri.Gude Veera Vankata Nageswara Rao. Previously, this company took different contract works and executed successfully. A notification was published in a news paper inviting tenders by fixing minimum (Government) bid of Rs.2 Crores for a sand quarry at Gani Atkuru Village of Kanchikacherla Mandal, Krishna District. Accordingly, Sri.Gude Veera Venkata Nageswara Rao purchased an application and submitted the same to Sri.Singam Surender, formerly Assistant Director of Mines & Geology, Nandigama, Krishna District on 06.04.2011 in his office by way of submitting his tender in a sealed cover endorsing 5(five) Demand Drafts (071424 to 071428) worth Rs.50 lakhs that were drawn from K.D.C.C Bank, Kanchikacherla. On 13.04.2011, the auction for quarry was conducted. Sri.Gude Veera Vankata Nageswara Rao quoted the tender amount in his sealed cover to Rs.11,23,45,678-99 ps. As Sri.J.China Nageswara Rao (1st bidder) who quoted highest amount, failed to pay the amount i.e 25% of the quoted amount, the Assistant Director of Mines & Geology, Nandigama sent a letter vide Lr.No.2147/sand/11, dt.19.04.2011 to Sri G.V.V. Nageswara Rao requesting to pay Rs.11,36,36,500/- for (25% of) the quoted amount and Rs.25,25,003/- towards Income Tax. On that Sri.G.V.V.Nageswara Rao replied that their company was ready to take the quarry on lease for the amount quoted in the sealed tender only or else his company was not willing to take the quarry and requested to return their five DDs worth of Rs.50 lakhs. Since the tender was not sanctioned to their company and as per the rules of the department, the DDs should be returned to his owner Sri.G.V.V.Nageswara Rao. Therefore, when Sri.Yamprala Purnachandra Rao along with his owner Sri.G.V.V.Nageswara Rao met Sri.Singam Surender in his office on 25.04.2011 and enquired about the DDs, Sri.Singam Surender asked his owner to send Sri.Yamprala Purnachandra Rao on 30.04.2011 and then he would return the DDs to him. Accordingly, Sri.Y.Purnachandra Rao met Sri.Singam Surender in his office on 30.04.2011 morning and requested for the DDs worth Rs.50 lakhs. On that Sri.Singam Surender told him that he would return the DDs relating to their company if he was paid Rs.25,000/- as bribe or else he would not return the DDs. Sri.Singam Surender also asked Sri.Yamprala Purnachandra Rao to inform the same to Sri.G.V.V.Nageswara Rao. Then Sri.Purnachandra Rao stated that Sri.Nageswara Rao was worrying that he had submitted DDs worth of Rs.50 lakhs by taking debts

from others and his proprietor could not meet his demand. Then Sri.Singam Surender informed him that he would return the DDs if he was paid a minimum bribe of Rs.15,000/- . As there is no alternative, Sri.Yamparla Purnachandra Rao informed Sri.Singam Surender that he would bring the demanded bribe of Rs.15,000/- with in two or three days and came out of the office. As Sri.Purnachandra Rao was not willing to pay the bribe to Sri.Singam Surender lodged a written complaint with the DSP, ACB, Vijayawada Range, Vijayawada on 01.05.2011 at 12.00 Noon as per the instructions of Sri.G.V.V.Nageswara Rao, requesting to take necessary legal action against Sri.Singam Surender. The DSP got verified antecedents of Sri.Singam Surender and genuineness of complaint of Sri.Purnachandra Rao by the District Inspector, ACB, Vijayawada Range, registered the complaint as a case in Cr.No.11/RCT-ACB-VJA/2011 under sections 7 & 13(2) read with section 13(1)(d) of the P.C.Act, 1988 at 12.00 pm on 03.05.2011 after obtaining permission from the Director General, A.C.B., A.P., Hyderabad.

4. And Whereas, after completion of proceedings drafted under a cover of Mediators Report - 1, the Deputy Supdt. of Police along with Sri.Yamparla Purnachandra Rao and his company owner, mediators, Inspectors and other members of the Trap Party left the DSP, ACB Office, Vijayawada at 12.00 Noon on 03.05.2011 in two vehicles and reached the vicinity of the office of Sri.Singam Surender at 2.15 pm. As per the instructions of the DSP, Sri.Yamparla Purnachandra Rao, Sri.Gude Veera Venkata Nageswara Rao Managing Partner of Sarvana & Co., Hanumanpet, Kanchikacherla and Sri.Gude Venkateswara Rao, Managing Partner Saravana & Co., went straight into the office of Sri.Singam Surender and found Sri. Surender was went for lunch. As per the instructions of the DSP, ACB , the trap party along with Sri.Y.Purnachandra Rao, Sri.G.V.V.Nageswara Rao and Sri.G.Venkateswara Rao went to the outskirts of Nandigama Town. Again the trap party reached near the vicinity of the office of Sri.Singam Surender along with Sri.Purnachandra Rao, Sri.G.V.V.Nageswara Rao and Sri.G.Venkateswara Rao, and Sri.Yamparla Purnachandra Rao along with accompanying witnesses went straight into the office of Sri.Singam Surender and met Sri.Surender found in his seat and requested him to return five DDs that were given to him on 06.04.2011 by the Managing Partner of Saravana & Co., Kanchikacherla, Krishna District in connection with the tender filed for a sand quarry at Gani Athakuru Village, Kanchikacherla Mandal. Sri.Singam Surender reiterated his earlier demand and asked Sri.Yamparla Purnachandra Rao to pay the bribe amount of Rs.15,000/- to him. Sri Purnachandra Rao took out a wad of currency notes from his left side front upper shirt pocket with his right hand and gave the same to Sri.Surender, Sri.Singam Surender received a wad of currency notes, counted with his both hands and kept the same in the right side upper drawer of his wooden table. After accepting the bribe, Sri.Singam Surender took out five DDs from his office iron safe and gave them to Sri.G.V.V.Nageswara Rao. Then Sri.Y.Purnachandra Rao, Sri.G.V.V.Nageswara Rao & Sri.G.Venkateswara Rao came out of the office and Sri.Y.Purnachandra Rao gave pre-arranged signal. Mean while, Sri.Singam Surender came out of the office verandah, observed the movements of trap party and fled away from the office verandah through the eastern side gate of the compound wall of the Sri.Singma Surender's office. The DSP got search for Sri.Singam Surender and traced him at Rangachari Adithi in Rangachari Adithi Street, Nandigama at 6.00 pm. The DSP ascertained the name and other particulars of Sri.Singam Surender and brought him to the office of Sri.Singam Surender at 6.20 pm and conducted Sodium Carbonate solution tests on both hand fingers of Sri.Singam Surender and proved positive. The DSP recovered the tainted currency of Rs.15,000/- from the right side upper drawer of the office table of Sri.Singam Surender at his instance. The chemical test conducted on the surface of paper that came into contact with the tainted amount yielded positive result. The DSP seized the tainted amount of Rs.15,000/-, (5) five DDs, resultant solutions and connected records etc., for the purpose of further investigation.

5. And Whereas, the said acts of Sri.Singam Surender, formerly Assistant Director of Mines & Geology, Nandigama, Krishna Dist., constitute offences punishable under sections 7 & 13(2) read with section 13(1)(d) of Prevention of Corruption Act, 1988.

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6. And Whereas, the Government of Andhra Pradesh being the competent authority to remove Sri.Singam Surender, formerly, ADMG,Nandigama, Krishna District from service after fully and carefully examining the material (i.e Final Report, F.I.R., mediator namas, Gist of Statement of witnesses etc.,) placed before them in respect of the afore said allegations and having regard to the facts and circumstances of the case consider that Sri.Singam Surender, formerly, ADMG,Nandigama, Krishna Dist should be prosecuted in a Court of Law for the aforesaid offences.

7. Now Therefore, in exercise of the power conferred by clause (c) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accord sanction for the prosecution of the above said by Sri.Singam Surender, formerly, ADMG,Nandigama, Krishna Dist., for the offences punishable under sections 7 & 13 (2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(D.SREENIVASULU) abd 12
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General
Anti Corruption of Bureau, Hyderabad.